

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.21010 of 2023 (O&M)
Date of decision: 01.09.2023**

Anand Singh

... Petitioner

Versus

Jaivir Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sikandh Mehta, Advocate for
Mr. Parveen Sharma, Advocate, for the petitioner.

Mr. Ashutosh Kaushik, Advocate for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 Cr.P.C. against the impugned order dated 27.03.2023 (P-3), passed by learned Judicial Magistrate 1st Class, Sonipat, whereby defence evidence of the petitioner was closed by Court order.

(2) The Coordinate Bench, while issuing notice of motion on 27.04.2023, passed the following order:-

“Petitioner (Anand Singh) has filed the present petition under Section 482 of the Code of Criminal Procedure for setting aside order dated 27.03.2023 (Annexure P-3) passed by the Court of Judicial Magistrate Ist Class, Sonipat, in

Complaint bearing NACT No.119 of 2018 dated 20.12.2018 (Annexure P-1) titled as “Jaivir Singh Vs. Anand” filed under Section 138 of the Negotiable Instruments Act, whereby defence evidence has been closed by the Court.

Notice of motion for 11.05.2023.

In the meantime, trial Court is directed to adjourn its proceedings beyond the date fixed by this Court.”

(3) Today, learned Counsel for the sole respondent/complainant on instructions submits that he has no objection in case the impugned order is set aside; however, petitioner be burdened with some costs for his lapses.

(4) The aforesaid submission is not opposed by learned Counsel for the petitioner.

(5) In view of the consensus arrived at between the parties, present petition is allowed. Impugned order dated 27.03.2023 (P-3) is set aside. Two effective opportunities are granted to the petitioner for concluding his defence evidence subject to the payment of costs of Rs.25,000/-.

(6) Costs be deposited with Punjab and Haryana High Court Bar Association, Chandigarh Lawyers Family Welfare Fund.

(7) Pending application(s), if any, shall also stand disposed off.

September 1st, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>